



2015

Tucson-Pima County Historical Commission
Plans Review Subcommittee

LEGAL ACTION REPORT
***Revised**

Thursday, October 15, 2015,
4th Floor Conference Room, Joel D. Valdez Main Library,
101 N. Stone, Tucson, Arizona 85701

1. Call to Order / Roll Call:

Meeting called to session at 1:02 PM

Commissioners: Terry Majewski (Chair), Jim Sauer, Helen Erickson, Arthur Stables, Patsy Waterfall, Michael Becherer

Staff: Michael Taku, Glenn Moyer, Alexandra Hines (PDSD), Jonathan Mabry, Jennifer Levstik (OIP)

2. Approval of Legal Action Report and Summary of Minutes of 9-24-15

Motion by Commissioner Sauer to approve the Legal Action Report and Summary of Minutes of 9-24-15. Motion seconded by Commissioner Waterfall.

Motion passed. Vote 5-0 (Commissioner Becherer abstained).

3. Historic Landmark Sign (HLS) Review Case:

- a. **HLS-15-03** - Review for Compliance with HLS Cultural/Historic/Design Guidelines for former "Cascade Laundry and Dry Cleaning": Treatment Plan, Restoration/Repair/Adaptive Reuse of a Pole Sign to say "Sherwin Williams" - 4765 East Speedway Boulevard [**CONTINUED CASE**]

Commissioner Mabry noted that the HLS must retain a majority of character defining features. Chair Majewski noted the shape and asymmetry as character defining features. Commissioner Sauer noted how the proposal maintains most of the character defining features except provides a new face, i.e. logo and font. Commissioner Stables noted that

the character defining features are unknown because there is no real evidence. Commissioner Sauer noted that the research by the applicant is credible.

Commissioner Stables noted that the proposal does not honor the HLS ordinance. The proposal is not abiding by the code meant to maintain historic landmark signs.

Chair Majewski asked what the text in the ordinance is defined as. Commissioner Stables noted other augmented signs like the El Con Historic Landmark Sign, but this sign proposes too much.

Commissioner Becherer asked what the future of the sign would be. Commissioner Erickson noted that they may be foiling the original intent of the HLS ordinance by doing away with the signs.

Applicant Carlos Lozano noted that a sign does not have to have text to be a HLS, thus, not a character defining feature.

Staff Moyer noted that part of the proposal is to tear down the other sign on the property, which is possibly eligible for HLS designation.

Commissioner Erickson noted that the commission cannot decide on what a property owner may or may not do.

Chair Majewski noted how previous reviews of signs for HLS designation have been straightforward.

Commissioner Erickson stated that the shape far outweighs the text.

Staff Mabry asked the commissioners to think about how the public will perceive the sign, as proposed. Does it create a false sense of history?

Mr. Lozano noted that the sign is more honest in that Sherwin Williams is staying true to their logo. Mr. Lozano suggested that a pedestrian scaled plaque showcase the history of the sign.

Staff Mabry noted that the main concern is that another applicant may use this project, if approved, as a precedent to twist the intention of the ordinance even more.

Chair Majewski noted that adaptive reuse is part of the ordinance. Staff Moyer noted that the ordinance is not intended for historic landmark signs to be used as a blank canvas. Mr. Lozano noted that the text was lost 50 years ago and the Sherwin Williams business has been on the same street since the 1950s.

Staff Moyer noted that the applicant choose to pick character defining features before '61, thus Cascade Laundry, instead of between '61-'74.

Mr. Lozano said the proposal can include uncovering the text sizing below with fine grit sanding.

Commissioner Becherer noted that it could be the identifying graphic where the word is the logo. In a sense, Sherwin Williams and Cascade Laundry are both logos.

Chair Majewski posed: what if it is a sign without neon. Staff Moyer noted that external light cannot be added to a nonconforming sign. Commissioner Sauer noted that there is evidence that neon was on the sign previously.

Staff Mabry asked the commissioners what kind of adaptive reuse they want to see.

It was moved by Commissioner Stables, duly seconded by Commissioner Waterfall, to recommend rejection of the proposal as presented.

Motion failed. Voice Vote 3-3.

Conversation held after the motion.

Mr. Lozano asked if the commission was to enumerate the character defining features then decide from those.

Staff Moyer said the commissioner are to provide a recommendation if the proposal meets the cultural historic designation guidelines.

Staff Moyer noted that the historic landmark ordinance sunsets December 31, 2015 and is an opportunity to clarify the text. Staff will recommend a 3 year renewal. The sunset date was previously renewed with the language as is. Chair Majewski suggested the commission hold a discussion at a future meeting regarding HLS ordinance amendments. Commissioner Sauer noted that the ordinance assumes that there is character defining text and in the case of 4765 East Speedway Boulevard, there isn't. Chair Majewski also noted that the sign has been modified.

Chair Majewski noted that the historic context of a sign is becoming more and more important.

Mr. Lozano thanked the commissioners and noted that the Secretary of Interior Standards may be helpful in amending the language.

4. Rio Nuevo District Review Case:

- a. **RND-15-22** - "Charles O. Brown Historic House" - Individually Listed on the National Register of Historic Places: Exterior Repairs - 40 West Broadway Boulevard

Staff Mabry introduced the project and stated that two issues raised during the Plans Review Subcommittee's Infill Incentive District compatibility review of the new building at 1 W. Broadway: 1) Ground moisture at foundation of the Brown House; currently a French drain facilitates evaporation along the east elevation; and, 2) Sufficient space to allow repairs to maintain the east wall of the Brown House.

The Developer for the adjacent east property agreed to City conditions that require those issues to be addressed.

The owner of the Brown House, the Arizona Historical Society, was required to consult with the State Historic Preservation Office about the proposed repairs in order to comply with the Arizona Historic Preservation Act. The State Historic Preservation Officer approved the repairs as presented to the Plans Review Subcommittee, with conditions: 1) Pursue finishes to repair and replace per photo package; 2) Documents as they go to minor reviews for: Paint color selection, post base detail/details, exposed rock foundation; 3) O-Type or K-Type plaster; and, 4) Experiment with Lime based paint (whitewash).

Architect Bob Lanning presented the proposal.

North: Some elements need to be replaced on the porch on Broadway. Replace concrete curb, brace roof and shore up to remove sag, replace pickets, rails and posts as needed. Replace (1) split frieze board. Replace cornice at window & door on west side of facade. Add paint (with stipple to differentiate) to glass to match existing.

Analysis of paint colors. Decide which color to pick of the three colors of blue on the trim. On site, field review with T-PCHC Plans Review Subcommittee. Tenants want a subtle color.

Documentation throughout the process. Take photos and document decisions. Address in letter to SHPO.

Railing detail of post attachment to concrete to separate wood posts from ground. Minor review to address detail. Learning and decision making to be discussed with Commission.

East: Expose stone foundation & replace loose stones. Tuck and point new stones where loose. Plaster to top of stones to let breathe. Commissioner Majewski suggested looking at Empire Ranch for details at the stone.

Staff Mabry noted that a major renovation using cement plaster occurred in the 1930s. Cement patch and historic lime plaster on site currently. Want to avoid capillary action of 'rising damp' up the wall. Minor review required for the lime plaster finishes. Old wood door to be repaired as needed.

South: It was revealed by earlier interior renovations of the foundation that the Brown house is a 1860's building from. The oldest part of building is from 1862.

Six windows and three doorways will be replaced and repaired as needed. Doors are to be replaced with panel doors. The exterior is to look better and period appropriate. Replace transoms, currently plywood. Center door operable.

For electrical service, remove conduit and raceways, and convert to interior subpanel, if possible.

Plaster dashed texture and giant joints to remain and replaced if needed.

The canales are no longer functioning. Replace with 18" long to match period appropriate.

Adobe site wall is proposed as stone work detail to reveal foundation. Repair and patch lime plaster as needed.

*Staff Levstik would like the project to start next week.

Federal funding from the CDBG grant is aiding this project. Team is from On-Call Design Build Team, which includes Bob Lanning.

It was moved by Commissioner Waterfall, duly seconded by Commissioner Sauer to recommend approval of the proposal as presented with condition that a field review be conducted for the colors, wood post base detail, and stone base and that all SHPO conditions be met.

Motion carried. Voice Vote 6-0.

5. Current Issues for Information/Discussion:

a. Minor Reviews

Commissioner Becherer volunteered for the minor review on Friday with Staff Taku and Val Little at 1:00 pm for 637 E. 5th St.

b. Appeals

No appeals at this time.

c. Zoning Violations

Staff continues to assist on abatement of violations in the Historic Zones.

6. Call to the Audience

Staff Mabry reported a meeting to be held with the West University Historic Advisory Board to discuss alternative window materials and the code amendment process that would be necessary to allow those.

7. Future Items

Commissioner Waterfall will chair the next meeting on Oct. 22nd.

8. Adjournment

Meeting adjourned at 2:55 p.m.